IN THE HIGH COURT OF JUDICATURE OF ANDHRA PRADESH
AT HYDERABAD

MONDAY THE TENTH DAY OF NOVEMBER
TWO THOUSAND AND THREE
: PRESENT :
THE HON'BLE MR. JUSTICE : BILAL NAZKI
AND
THE HON'BLE MR. JUSTICE : GOPALAKRISHNA TAMADA

C.C.C.A No.97 of 1989

(Appeal under section 96 r/w order 41 of CPC against the Decree and Judgment dated 09-06-1989 in O.S. No. 30 of 1984 on the file of the Court of the Second Additional Judge, City Civil Court, Hyderabad.)

Between:
V. Masthanamma.

Petitioner

AND

1. Devarushi Emaji.
2. Devarushi Mahadev.

Respondents.

FOR THE APPELLANT : Mr. A. Anantha Reddy Advocate.

FOR THE RESPONDENTS : Mr. Nemalikanty Ramachandra Rao Advocate

The Court made the following : **ORDER :**

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(per Hon'ble MR. JUSTICE BILAL NAZKI)

Learned counsel for the respondents submits that after the suit was decided, the trial court had returned him the original documents being Exs.B 1 to B 54 on the condition that they will be produced again in the Court as and when required. Now he has received a notice from the trial Court to submit the documents before it for transmission to the High Court as the appeal is pending in this court. This is a noval procedure which we have come across for the first time that without an application being made by the party and even without retaining the certified copies of the documents on which the suit was contested and which were exhibited during the trial, the documents were returned to the party. These documents be now received by the Registry with an intimation to the trial Court that the documents have been filed in the High Court. Copies of these documents shall be furnished by the counsel for the respondents to the counsel for the appellant as well. List next week.

The Judicial Officers should also be directed not to return the original documents without an application being made by the party concerned and without the certified copies being retained on the record of the case file as is envisaged by law.

Sd/- S. Bharathi
ASSIT. REGISTRAR

// TRUE COPY //

SECTION OFFICER

To
1. The Second Additional Judge, City Civil Court, Hyderabad (By Spl. Messenger)
2. Sri. Nemalikanty Ramachandra Rao, Advocate, High Court of A.P. Hyderabad.
3. Sri S. Anantha Reddy Advocate, High Court of A.P. Hyderabad.
4. One cc to Mr. N. Lakshmi Narayana Advocate (OPUC)
5. Copy to V.R. Section High Court of A.P. Hyderabad.
6. Two spare copies.

D/kg T/n.w.a

HIGH COURT

BN J
&
TGK J

DT. 10-11-2003

Note: List next week.

ORDER

C.C.C.A. No. 97 of 1989

DIRECTION.